

Don Bingham

From: Don Bingham
Sent: Tuesday, March 13, 2007 5:04 PM
To: [REDACTED]
Subject: RE: Peterson Farms

Thank you for your prompt response. I'll contact you tomorrow. Don Bingham

From: [REDACTED]
Sent: Tuesday, March 13, 2007 7:03 AM
To: Don Bingham
Subject: Re: Peterson Farms

1. I am not presently employed with Peterson Farms.
2. I do not have a continuing relationship with Peterson Farms.
3. I am not represented by counsel for any reason associated with my initial contact.
4. I am not party to any confidentiality agreement with Peterson Farms or subject to any formal restrictions.

There could be one possible restriction that I can mention to you by phone or in person. It is probably no big deal but I will not reveal to you due to possibly being confidential information as you mentioned in your e-mail. It has nothing to do with my initial contact to you.

I must admit that this is an uncomfortable situation for me and I would prefer that if the decision is made to further communicate, it could be by phone or in person.

Thanks,
Kerry

-----Original Message-----
From: don_bingham@riggsabney.com
To: [REDACTED]
Sent: Mon, 12 Mar 2007 12:03 PM
Subject: Peterson Farms

Mr. Kinyon,
I am following up on your February 19 and 21, 2007 e-mails to Joe Rice and your February 21, 2007 letter to Attorney General Edmondson. I am an attorney at Riggs, Abney, Neal, Turpen, Orbison & Lewis, a law firm that is representing the State of Oklahoma in its lawsuit against the poultry industry for alleged pollution of the Illinois River Watershed. One of the defendants in this lawsuit is Peterson Farms, and obviously the State's interests are adverse to Peterson Farms.

We appreciate you reaching out to us and would like to speak with you. In the time since receiving your e-mails and letter we have been researching various issues pertaining to any ethical constraints we might have on speaking to you and need some additional information before deciding how most appropriately to proceed. As an initial matter, we need to confirm that you are not presently employed by Peterson Farms and that you do not have a continuing relationship with Peterson Farms, such as serving as a board-member of Peterson Farms or serving as a consultant to Peterson Farms, we are ethically required to communicate with you through

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Peterson Farms' attorney rather than with you directly. Therefore, if you are employed by or have a continuing relationship with Peterson Farms, please do not respond to us other than to tell us that fact. Do not answer any of the following questions and do not initiate any further contacts with us; any further contacts will have to occur through counsel for Peterson Farms.

Even if you are not presently employed by Peterson Farms and do not have a continuing relationship with Peterson Farms, we need to know whether are represented by counsel. If you are represented by counsel, we are ethically required to communicate with you through that attorney rather than with you directly. Therefore, if you are represented by counsel, please provide us the name and contact information for that counsel. Please do not reveal to us any communications you have had with your attorney or any attorney-client information. Do not answer the following question and do not initiate any further contacts with us; any further contacts will have to occur through your counsel.

If you are not presently employed by Peterson Farms, do not have a continuing relationship with Peterson Farms and are not represented by counsel, we need to know if you are party to any confidentiality agreements or subject to any restrictions pertaining to your employment with or separation from Peterson Farms. In responding to this question, please do not reveal to us any communications you have had with any attorney or any attorney-client information and please do not reveal to us any confidential information regarding your former employer, Peterson Farms.

Once we have your e-mail responses to these questions we will be able to determine what ethical restrictions, if any, apply and will get back in touch with you. We appreciate your patience as we do this preliminary, but very necessary, research. Thanks.

Don Bingham

Riggs, Abney, Neal, Turpen, Orbison & Lewis, P.C.

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